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 THE LARYNGEAL MASK COMPANY LTD.  
 and LMA NORTH AMERICA, INC.

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

THE LARYNGEAL MASK COMPANY  
 LTD. and LMA NORTH AMERICA, INC.,

Plaintiffs,

v.

AMBU A/S, AMBU INC., AMBU LTD.,  
 and AMBU SDN. BHD.,

Defendants.

AND RELATED COUNTERCLAIMS

Civil Action No. 07 CV 1988 DMS (NLS)

**PLAINTIFFS' UNOPPOSED MOTION  
 FOR EXTENSION OF TIME TO FILE  
 OBJECTIONS TO THE MAGISTRATE  
 JUDGE'S DECISION RE THE  
 PROTECTIVE ORDER**

**Judge Dana M. Sabraw**

**Magistrate Judge Nita L. Stormes**

1 Plaintiffs/Counter-defendants The Laryngeal Mask Company Ltd. and LMA North  
2 America, Inc. (collectively "LMA") hereby respectfully requests an extension of time for  
3 LMA to file any objections under Rule 72(a) of the Federal Rules of Civil Procedure to the  
4 August 21, 2008 decision of Magistrate Judge Nita L. Stormes regarding the Protective Order  
5 in this matter [Doc. # 73]. Defendants do not oppose this motion. The present due date for  
6 filing any such objections is September 5, 2008 (10 [court] days under Rule 72), and LMA is  
7 requesting a three-week extension of the due date until September 26, 2008. The reasons for  
8 this request are as follows:

9 The parties have been attempting to meet and confer regarding a possible stipulation  
10 concerning the subject matter of Magistrate Stormes' decision but have been unavoidably  
11 delayed by client vacation schedules, the intervening Labor Day holiday, and other  
12 scheduling conflicts of counsel. Specifically, in her decision Magistrate Stormes ruled that  
13 one of LMA's attorneys with Shearman & Sterling LLP who was also on the board of  
14 directors of LMA's parent corporation (and another related company) could not have access  
15 to Defendants' highly confidential materials under the Protective Order. The subject attorney  
16 has now resigned from both boards of directors and the parties have been attempting to meet  
17 and confer regarding possibly allowing the subject attorney access under the Protective  
18 Order, but client unavailability and counsel schedule conflicts have unavoidably delayed this  
19 process. Also, in the event that the parties are not able to reach an agreement, LMA intends  
20 to bring the matter before the Magistrate Judge and request reconsideration of her decision  
21 based on the changed circumstances.

22 The requested extension of the Rule 72(a) filing deadline would allow sufficient time  
23 for the matter to either be resolved by the parties or reconsidered by the Magistrate Judge  
24 prior to the deadline, possibly avoiding the need for LMA to file any Rule 72(a) objections  
25 (and Defendants to oppose) altogether. Accordingly, LMA believes that the requested  
26 extension would promote efficiency and judicial economy. This request is brought in good  
27 faith and not for purposes of mere delay or any other improper purpose.

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1 A proposed Order granting the requested extension of time is being concurrently  
2 submitted herewith.

3 Respectfully submitted,

4 KNOBBE, MARTENS, OLSON & BEAR, LLP

5  
6 Dated: September 4, 2008

By: s/Frederick S. Berretta

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9 Attorneys for Plaintiffs

10 THE LARYNGEAL MASK COMPANY LTD.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 4, 2008, I caused the foregoing **PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO THE MAGISTRATE JUDGE'S DECISION RE THE PROTECTIVE ORDER** to be electronically filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the applicable registered filing users.

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I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Dated:

9/4/08

  
Megan Ptacin

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